

NORTH OGDEN PLANNING COMMISSION

MEETING MINUTES

January 18, 2017

The North Ogden Planning Commission convened in a regular meeting on January 18, 2017 at 6:30 p.m. in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on January 12th, 2017. Notice of the annual meeting schedule was published in the Standard-Examiner on January 1, 2017.

COMMISSIONERS:

Don Waite	Chairman
Eric Thomas	Vice-Chairman (excused)
Scott Barker	Commissioner
Brandon Mason	Commissioner
Steven Prisbrey	Commissioner
Nicole Nancarrow	Commissioner

STAFF:

Jon Call	City Attorney
Rob Scott	City Planner
Brandon Bell	Planner 1
Monalisa Wald	Planning Assistant
Gary Kerr	Building Official

VISITORS:

Craig Call (Invited Guest)

REGULAR MEETING

Chairman Waite called the meeting to order at 6:36 p.m. Commissioner Prisbrey offered the invocation and Commissioner Nancarrow led the audience in the Pledge of Allegiance.

1. ROLL CALL

Commissioner Thomas not present.

2. **MINUTES APPROVAL**

Commissioner Barker moved to approve the minutes of the January 4, 2017 minutes as presented. Commissioner Nancarrow seconded the motion; all voted in favor.

Voting on the motion:

Commissioner Barker	yes
Commissioner Mason	yes
Chairman Waite	yes
Chairman Prisbrey	yes
Commissioner Nancarrow	yes

The motion carried.

3. **OPENING MEETING STATEMENT**

Not read. Chairman Waite would like to change the order of the Ex Parte disclosure.

4. **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

There were no public comments.

5. **EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE**

Commissioner Nancarrow indicated she will recuse from commenting or voting on agenda item 6A; her property directly abuts the property subject to that application.

Commissioner Prisbrey indicated he may also recuse from participating in discussion of that agenda item as he lives in the general vicinity of the property as well.

City Attorney Call noted that it is only necessary for a member to abstain from participating in discussion of an item if they stand to gain financially.

Chairman Waite added that there may not be a quorum if two members recuse from participating in the discussion. City Planner Scott indicated the Planning Commission's rules address this issue; four members of the body shall constitute a quorum for the transaction of all business. An abstaining member shall not be counted as present for purposes of forming a quorum. Mr. Call added that the item is an application to provide a recommendation to the City Council regarding the requested annexation of the property; no final decision will be made by the Planning Commission this evening. Commissioner

Mason stated he does not want to pressure Commissioner Nancarrow to participate in the discussion in order to have a quorum.

6. **LEGISLATIVE ITEMS**

A. SUB 2016-20 CONSIDERATION AND ACTION ON AN LEGISLATIVE APPLICATION FOR ANNEXATION OF THE FRANDSEN, PARKINSON AND BREWER PROPERTY (OAKMONT ESTATES), LOCATED AT APPROXIMATELY 1100 EAST AND 2750 NORTH AND ZONE THE PROPERTY SINGLE FAMILY RESIDENTIAL (R-1-10).

A staff memo from City Planner Bell explained when the Planning Commission is acting in a legislative capacity as the land use authority the Planning Commission has wide discretion. Examples of legislative actions are general plan, annexation, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision related to a legislative matter requires compatibility with the general plan and existing codes.

The applicants own property in North Ogden City located at approximately 1100 East 2750 North. The property is composed of 2 parcels totaling approximately 28.832 acres in size, is located in a county island within North Ogden City limits. The applicants are requesting that their property be annexed and zoned Single Family Residential Zone (R-1-10).

The adjacent property within North Ogden City to the west is zoned R-1-8. The property to the south is zoned RE-20 and R-1-10. The adjacent property to the north and east is zoned R-1-10. Designating the property with an R-1-10 zoning classification is a logical extension of the R-1-10 zone.

The North Ogden Annexation Policy Declaration in the General Plan calls for the property to be annexed into North Ogden City. The General Plan map calls for this property to be developed as low density residential; the R-1-10 zone is consistent with this designation.

The memo offered the following summary of potential Planning Commission considerations:

- Is the zoning proposal consistent with the General Plan?

The memo concluded staff recommends that the Planning Commission recommend that the City Council annex this property and apply the R-1-10 zone.

Chairman Waite declared there is not a quorum available to vote on the application. The item will be continued to a future meeting.

B. LAND USE TRAINING BY CRAIG CALL

Craig Call provided the Planning Commission with a summary of his professional background in all levels of government, noting that he concluded his career as the Property Rights Ombudsman for the State of Utah; he now works for a private law firm that provides legal services for smaller communities throughout the State. He then commenced providing the Planning Commission with land use training and there was general discussion throughout the training as he and City Attorney Call responded to questions raised by the body. There was a focus on the types of issues that qualify as legislative decisions, conditional use permits (CUPs), and the Open and Public Meetings Act (OPMA) for the State of Utah.

7. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

8. REMARKS FROM PLANNING COMMISSIONERS

Commissioner Mason noted the popularity of pickleball courts in Pleasant View City.

Chairman Waite conducted a discussion among the Planning Commission regarding the joint work session meeting held with the City Council last Tuesday.

The group then engaged in discussion regarding upcoming training opportunities for the Planning Commission and staff.

9. REPORT OF THE CITY PLANNER

City Planner Bell provided the Planning Commission with an update regarding the North View Estates project and the location of meters throughout phase six of the project; lot lines will be adjusted so that it is not necessary to relocate meters that have already been placed.

Mr. Scott then provided the Planning Commission with a report regarding items that have been included on the City Council agenda for their next meeting. Commissioner Mason stated he would like for the fencing of the proposed Leisure Villas project to be discussed in greater depth; he feels that a substantial fence is needed between the property and the adjacent golf course, but that may not be a requirement of the City's ordinance. Mr. Scott stated he feels that issue can be appropriately addressed through the negotiation of a development agreement for the project.

10. REMARKS FROM CITY ATTORNEY

Mr. Call indicated he had not additional remarks.

11. ADJOURNMENT

Commissioner Prisbrey moved to adjourn the meeting. Commissioner Mason seconded the motion.

Voting on the motion:

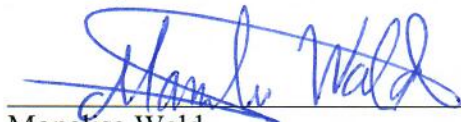
Commissioner Barker	yes
Commissioner Mason	yes
Chairman Waite	yes
Chairman Prisbrey	yes
Commissioner Nancarrow	yes

The motion carried.

The meeting adjourned at 8:24 p.m.



Planning Commission Chair



Monalisa Wald
Planning Assistant

2/1/17

Date approved